

Message Text

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67

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TO AMEMBASSY OTTAWA

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UNCLAS ST JOHNS 0224

E.O. 11652 N/A

TAGS PGOV MARR CA

SUBJECT MUNICIPAL VEHICLE TAX AT GOOSE BAY

REF STJOHNS 112 OF 6/10/74 AND PREVIOUS

1. IN REPLAY OF LAST YEAR S SCENARIO, TOWN COUNCIL OF GOOSE BAY-HAPPY VALLEY IS AGAIN TRYING TO IMPOSE MUNICIPAL VEHICLE TAX ON US PERSONNEL AT GOOSE BAY. SUMMONSES ISSUED 9/10/75 TO SEVERAL USAF PERSONNEL REQUIRING APPEARANCE IN LOCAL MAGISTRATES COURT ON 9/25/75. TOWN CLERK STATES TOWN COUNCIL NO LONGER WILLING ACCEPT PRIOR RESOLUTION OF MATTER AND IS DETERMINED TO SEEK JUDICIAL RESOLUTION.

2. THIS POST RECEIVED CABLE FROM 95TH STRAT WG AT GOOSE BAY ASKING OUR HELP IN RESOLVING MATTER AND CLAIMING IMMUNITY FROM TAXATION UNDER PROVISIONS NATO SOF AGREEMENT, ARTICLE X(1). CABLE ALSO STATED THAT SPEEDY RESOLUTION ESSENTIAL SINCE MANY USAF MEMBERS LEAVING THAT BASE IN VERY NEAR FUTURE. ALSO, THERE IS POSSIBILITY THAT MUNICIPALITY WILL ATTEMPT TO LEVY A NUMBER OF OTHER TAXES. PAYMENT OF MUNICIPAL VEHICLE TAX UNDER PROTEST NOT VIEWED BY BASE AS QUOTE VIABLE ALTERNATIVE END QUOTE.

3. WE REPLIED TO GOOSE S CABLE BY QUERYING WHETHER THEIR LEGAL OFFICE DEFINITELY OF OPINION THAT 15-16 GEORGE VI, CHAP. 28, PART V, PARA 25(B) NOT APPLICABLE. THEY REPLIED UNCLASSIFIED

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TO THIS BY STATING THAT MUNICIPAL VEHICLE TAX IS A TAX IMPOSED

ON RIGHT OF OWNERSHIP OF A POV, NOT RPT NOT A TAX ON LICENSING
OR REGISTRATION OF A POV OR A ROAD TAX. LEGAL OFFICE AT GOOSE
THEREFORE DECIDEDLY OF OPINION THAT PARA 25(B) NOT RPT NOT
APPLICABLE.

4. CONOFF DISCUSSED MATTER INFORMALLY WITH KNOWLEDGEABLE
SENIOR OFFICIAL ON STAFF OF EXECUTIVE COUNCIL OF NEWFOUNDLAND
WHO WAS OF OPINION THAT IT WAS A FEDERAL MATTER AND THAT IT
UNLIKELY THAT PROVINCIAL GOVERNMENT COULD BE HELPFUL.

5. REQUEST GUIDANCE.
MORE

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NNN

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